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**Subject:** TRADEMARK APPLICATION NO. 79014936 - N/A  
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**[Important Email Information]**  
**UNITED STATES PATENT AND TRADEMARK OFFICE**

SERIAL NO: 79/014936

APPLICANT: RIGHT-ON CO., LTD.

**CORRESPONDENT ADDRESS:**

James A. Oliff  
OLIFF & BERRIDGE, PLC  
Suite 500  
277 South Washington Street  
Alexandria VA 22314

**RETURN ADDRESS:**

Commissioner for Trademarks  
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email@oliff.com

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1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address..

Serial Number 79/014936

This letter responds to the applicant's communication filed on February 9, 2007. The amended drawing page and amended description of the mark are acceptable and made of record. The refusal to register under Sections 1, 2 and 45 as the mark is merely ornamental and the applicant has not claimed acquired distinctiveness under Section 2(f) is maintained and continued.

The trademark examining attorney has carefully reviewed the request for reconsideration as to the ornamentation refusal and is not persuaded by applicant's arguments. No new issue has been raised and no new compelling evidence has been presented with regard to the ornamentation point at issue in the final action. TMEP §715.03(a). Therefore, the request for reconsideration is **denied** and the final refusal under Sections 1, 2 and 45 as the mark is ornamental is continued. 37 C.F.R. §2.64(b); TMEP §715.04.

The filing of a request for reconsideration does *not* extend the time for filing a proper response to the final action, which runs from the date the final action was mailed. 37 C.F.R. §2.64(b); TMEP §§715.03 and 715.03(c). It is noted that the applicant has filed its Notice of Appeal. Accordingly, the application is being returned to the Trademark Trial and Appeal Board for resumption of the Appeal process.

Ornamental Refusal, but Capable

The refusal to register under Sections 1, 2 and 45 was continued and made FINAL. Registration is refused on the Principal Register because the proposed mark, as displayed on the drawing page and described in the description of the mark of record, is a decorative or ornamental feature of the goods and would not be perceived as a mark by the purchasing public. Trademark Act Sections 1, 2 and 45, 15 U.S.C. §§1051, 1052 and 1127; *See In re Owens-Corning Fiberglass Corp.*, 774 F.2d 1116, 227 USPQ 417 (Fed. Cir. 1985); *In re David Crystal, Inc.*, 296 F.2d 771, 132 USPQ 1 (C.C.P.A. 1961); *In re Villeroy & Boch S.A.R.L.*, 5 USPQ2d 1451 (TTAB 1987); TMEP §§1202.03 *et seq.*

The mark consists of stitching on pockets. The stitching is not particularly unique or unusual. The design looks like a random design of stitching and does not incorporate any elements that look any different than any other stitching on jeans pockets than would be added to create a different fashionable or ornamental look/style.

The description of the marks is as follows: "The mark consists of a stitching design on side-by-side pockets. The solid lines represent stitching. The shape of the pockets is not claimed as part of the mark. The dotted lines are not claimed as a feature of the mark, but rather to show the mark's position on the goods."

The Examining Attorney supplements her prior evidence with additional evidence of use of stitching on jeans pockets. The stitching on famous/designer brands is recognized as a trademark because of the long use, emphasized advertisements such as "look for" advertising, or in other words because this stitching has acquired distinctiveness as a mark. Corresponding registrations have been attached (for many examples) that have been registered on the Supplemental Register or under Principal-2(f) after having acquired distinctiveness. It is noted that even famous clothing makers, such as Abercrombie and Armani/Exchange, had to register their stitching marks under 2(f) or on the Supplemental Register. All this evidence is relevant in that stitching on jeans pockets is not viewed as inherently distinctive.

Additional website and Nexis® evidence have been attached which discuss stitching on jeans pockets.

Prior decisions and actions of other trademark examining attorneys in registering different marks are without evidentiary value and are not binding upon the Office. Each case is decided on its own facts, and each mark stands on its own merits. *AMF Inc. v. American Leisure Products, Inc.*, 177 USPQ 268, 269 (C.C.P.A. 1973); *In re International Taste, Inc.*, 53 USPQ2d 1604 (TTAB 2000); *In re Sunmarks Inc.*, 32 USPQ2d 1470 (TTAB 1994); *In re National Novice Hockey League, Inc.*, 222 USPQ 638, 641 (TTAB 1984); *In re Consolidated Foods Corp.*, 200 USPQ 477 (TTAB 1978).

The practices of the trade lead to the conclusion that the applicant's mark is ornamental, but capable of acquiring distinctiveness. Mere stitching on jeans pockets is not inherently viewed as a trademark. But, designer stitching that is used for lengthy periods of time or emphasized in a company's advertising (or defended in litigation such as the Levi's example – see attached) are recognized as trademarks based on their acquired trademark status (through acquired distinctiveness).

The Examining Attorney reiterates, the Applicant may overcome the stated ornamental refusal by doing the following, as appropriate:

- (1) claiming ***acquired distinctiveness*** under Trademark Act Section 2(f) by submitting ***evidence*** that the proposed mark has become distinctive of applicant's goods in commerce. 15 U.S.C. §1052 (f). Evidence may consist of examples of advertising and promotional materials that specifically promote, as a trademark, the subject matter for which registration is sought, dollar figures for advertising devoted to such promotion, dealer and consumer statements of recognition of the

proposed mark as a trademark and any other evidence that establishes recognition of the proposed mark as a trademark for the goods. *See* TMEP §1202.03(d).

Noting that the Supplemental Register is not an option for the applicant as a 66(a) applicant. TMEP §1202.02(f) supports this refusal, by analogy, as the applicant's mark on its face and using its description of the mark is ornamental.

TMEP §1904.02(a) states: Under Section 68(a) of the Trademark Act, 15 U.S.C. §1141h, a request for extension of protection will be examined under the same standards as any other application for registration on the Principal Register.

In conclusion, the refusal to register under Section 1, 2, and 45 are maintained and continued and the applicant is returned to the Board for further processing of the appeal.

/Gina M. Fink/  
Trademark Attorney - Law Office 109  
Phone: (571) 272-9275  
Law Office 109 Fax: (571) 273-9109

**Time of Request:** Wednesday, March 07, 2007 18:47:12 EST

**Client ID/Project Name:**

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**Research Information**

**Service:** Terms and Connectors Search

**Print Request:** Selected Document(s): 1

**Source:** US Newspapers and Wires

**Search Terms:** ornamental w/p jean w/p stitch!

1 of 7 DOCUMENTS

Copyright 2005 Madison Newspapers, Inc.  
The Capital Times (Madison, Wisconsin)

October 11, 2005 Tuesday  
ALL EDITION

**SECTION:** LIFESTYLE; Pg. 1B

**LENGTH:** 1354 words

**HEADLINE:** PERFECT JEAN-ETICS;  
PRICES ARE PUSHING \$250 FOR TRENDY DENIM BRANDS

**BYLINE:** By Amy MertzThe Capital Times

**BODY:**

Call it jean-etic engineering.

Denim manufacturers are on a quest for creating the perfect pair of jeans, with improved fit due to the addition of Lycra and other materials for stretch, shape and softness; special washes that result in varying degrees of darkness; more realistic distressing, such as holes and tattering; and embellishments and embroidery on pockets and elsewhere.

But the improvements come at a cost, of course. And while many express outrage at \$3-a-gallon gasoline, women in the fashion "know" aren't sticker-shocked to find denim pushing \$250 on store shelves.

Ironically, the proletariat's icon has become a status symbol for the middle and upper class.

To be fair, expensive denim brands aren't a new thing. We all remember names like Jordache, Gloria Vanderbilt and Guess that ruled the '80s and early '90s. But the prices never seemed to break \$80 - even when taking inflation into account.

Some local retailers have built their businesses around premium jeans sales and offer an assortment of well-known labels for the fashion-conscious.

The area's largest premium denim retailer is Bop, 222 W. Gorham St., which also sells merchandise online at shopbop.com. Manager and buyer Mollie Milano says her employees are trained for a whole day on denim and try on every brand so they can find the best pair of jeans to suit a particular customer's body type and style.

"I think it's kind of evolved," Milano says of the move toward women spending more on denim. This evolution started about five years ago.

"Two years ago Seven for All Mankind was our No. 1 jean in our store," she says, and they cost about \$130 then.

Bop's biggest sellers right now are Citizens of Humanity (\$132 to \$220), Paige (\$165 to \$176) and True Religion (\$172-\$275). Some jeans like Seven feature Swarovski crystals and rhinestones on the front and back pockets, jacking the price up to as much as \$395.

"A lot of the manufacturing is being done over in Japan, where they use spun denim on fancier machines. I think a lot of (the rising price) has to do with the actual quality of the jean," Milano says.

Many high-end labels are made in the U.S., too, where workers often are paid more than they earn overseas.

Antik denim, which Bop carries, averages around \$250 and is commonly seen on celebrities. It began hitting the mainstream six to eight months ago and is known for elaborate, sometimes colorful embroidery on the back pockets.

"If a celebrity is seen in a certain pair of jeans, those are what the girls want," Milano says. "If a certain brand is mentioned in magazines, like People, we hang up pictures, and that sells jeans," Milano says.

About 75 percent of Bop's clientele is college age; the other 25 percent is women between 25 and 60.

Childless women in their mid-30s with a disposable income "don't bat an eye on spending \$250 on jeans," Milano says, and are the ones who tend to accumulate designer denim.

This year True Religion jeans with back pocket flaps were the big trend, Milano says. "All the others copied that and copied their embroidery."

The number of pairs of jeans a customer buys or owns varies, Milano says.

"Half the girls come in here and get a couple great pairs of jeans for the season and that's it," she says. "The other half come in here a lot and have every brand." The latter tend to be from big cities, where fashion sense is important and part of the culture, she adds.

Bop does sell jeans that cost less than \$100 that are popular. "Big Star (\$86-\$101) is a great basic, and we do sell those to some high school girls, too," Milano says. "I think the younger girls stay more toward the mall and brands that are a little lower-end."

\* \* \*

Jenny Condon, owner of Allure, an accessories-heavy boutique that opened last year in Middleton's Greenway Station, says denim is one of her store's mainstays. Allure carries the much-sought-after labels Citizens of Humanity, Hudson, True Religion, and Union and will be getting Joe's Jeans soon.

Premium denim is an easy sell to those who spend a lot on high fashion, she says, but women who don't live by labels are opening their wallets, too.

"People who buy the designer denim buy designer everything," Condon says. "The people who aren't into all designer stuff but buy designer denim are impressed with the fit, get more compliments on them and like them because they don't stretch out as much."

Much of the higher price goes toward the denim sustaining different washes and being made of higher-quality material, which makes them hold up better and retain their shape, Condon says.

Allure's client base is wide; it attracts high school girls, college students and women in their 50s, Condon says. Merchandise targets women in their 20s and 30s, and Allure carries trendy items, like designer handbags and the popular, sparkly Michael Stars T-shirts.

"We started with novelty jeans because we're an accessories store - with jeans with triangle pockets like Hudson that you might not wear every day," Condon says.

\* \* \*

Jeans continue to sell quite well at Allure, Condon says, despite stores that sell average-priced denim reporting an abundance of jeans this fall.

If you look around most department stores and mall-type chains like Gap, they are flooded with denim. Prices of jeans that typically run \$65 or less have been slashed by as much as 50 percent in most stores, judging from an informal local inventory. And the ones that aren't on sale are those imitating the premium labels - with an emphasis on more ornamental back pockets, contrast stitching, softer material, Lycra for a snug fit, and most importantly, a heftier price tag.

Meanwhile, labels that don't typically produce denim, such as discount merchant H&M, are entering the market to catch up with the denim craze.

Sheryl Batten, owner of Bodacious, 1719 Monroe St., says of the four suppliers from which she bought in New York last month, one was almost completely dedicated to jeans.

A Boston Globe article from late August cited a 2004 report that the average consumer age 13 and older buys nine pairs of jeans a year. It also attributed the 10 percent rise in the jeans market this year partially to the popularity of premium denim and a growing acceptance of jeans as workplace attire.

Batten says she carries denim mainly because she feels she has to; she tries to focus on non-denim apparel, though. She stocks J & Co., Blue Cult/2Blu, Sergio Valente, French Connection and Blujeanious, with prices ranging from \$78 to \$170. J & Co. is the top seller there.

\* \* \*

If the price of premium jeans doesn't leave you flabbergasted, or if you still aren't satisfied with your jeans, how about a pair boasting fibers conditioned with a cocktail of cellulite-fighting retinol, squalene and menthol? Or vitamin E, to moisturize your legs?

Also now available at Earnest Cut & Sew in Manhattan are custom-made jeans, starting at \$300. The customer chooses the cut (boot cut or straight leg), the shade and fabric, the thread color, the rivet and

button metals, and the pocket lining material. Shopbop.com and Nordstrom.com offer shoppers a jeans guide that allows you to search for jeans by choosing the leg cut (boot, flare, straight), waist style (low or medium rise) and brand, plus provides tips on how to achieve the perfect fit.

Expect the prices to stay up for a while, as all the makers duke it out for business. Cotton Inc. publication Lifestyle Monitor predicts that in a few years, the best brands will knock out their competitors and bring prices down a bit.

Milano says she thinks the price of denim will top out at \$200 and start to come back down. "I think it's got to stop sometime soon," she says. "I don't think it can get much higher. I think back to basics is likely; the distressed wash and embroidery will pass."

Batten doesn't expect the prices to drop, though. "I don't think jeans will ever fizzle," she says. "They've been around forever - they're such a staple."

"Ultimately, young girls are brandwise, and when something is very popular, they have to have that brand. The jeans are a statement and the focus of the look. But the brands can go back and forth."

E-mail: amertz@madison.com

**GRAPHIC:** LOUIS LANZANO/ASSOCIATED PRESS Ralph Lauren faded denim beaded jeans accent an outfit last month at Fashion Week in New York city. **PHOTOS BY MICHELLE STOCKER/THE CAPITAL TIMES** For a straight or boyish figure: Paperdenim&cloth's Super Low Flare in "1 Year" wash. \$176. Trendy: True Religion Breast Cancer Awareness Jeans. \$240. Shown here: Joey fit in Medium Miner wash. Bargain: Big Star five-pocket bootleg stretch, dark wash. \$86. Splurge: Antik Denim, Monroe fit, Copper wash. \$260. Shopbop.com sells True Religion Breast Cancer Awareness Jeans for \$240 a pair. The Web site donated 100 percent of its profit to the Y-Me National Breast Cancer Organization.

**LOAD-DATE:** October 12, 2005





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2. web1-2
3. abercrombie
4. armani-1
5. armani-2
6. calvinklein
7. gap-1
8. gap-2

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1. guess
2. levis
3. luckybrand
4. seven-1
5. seven-2
6. seven-3
7. web2-1

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2. web2-3
3. web2-4
4. web3-1
5. web3-2
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## Jean Pocket Project

This is a wiki created to hold and track the pocket stitching and styles of different jean brands. There is also a Flickr site at <http://flickr.com/groups/jeanpocketproject/>.

A project of Ed, Brian, and Mariko.

### Jean Brands

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Anyone should feel free to add more here

## Updates

12/12/2006 - Added new brands: Antik, Ben Sherman, Calvin Klein, Citizens of Humanity, Chip N Pepper, Energie, Guess, Joe's Jeans, Loomstate, Lucky Brand, Notify, People 4 Peace, Quiksilver, RVCA, Salvage, Union. Also added new photos for 7 and Mavi. -Ed

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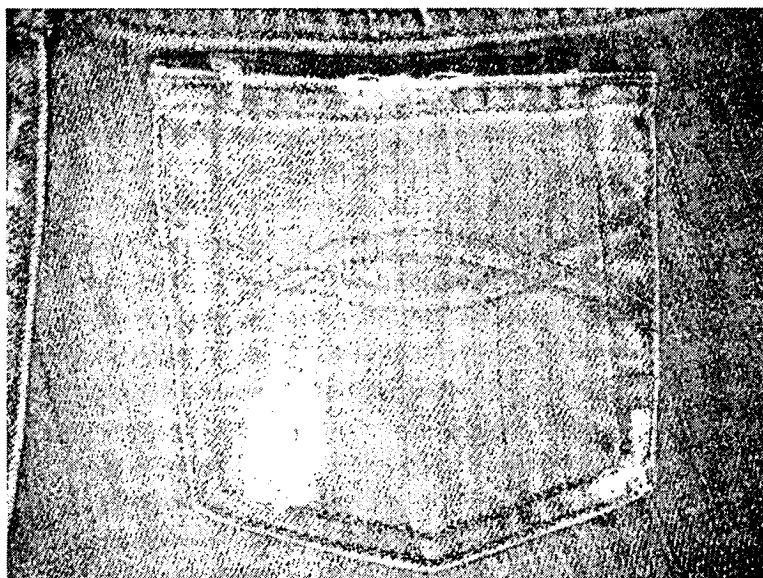
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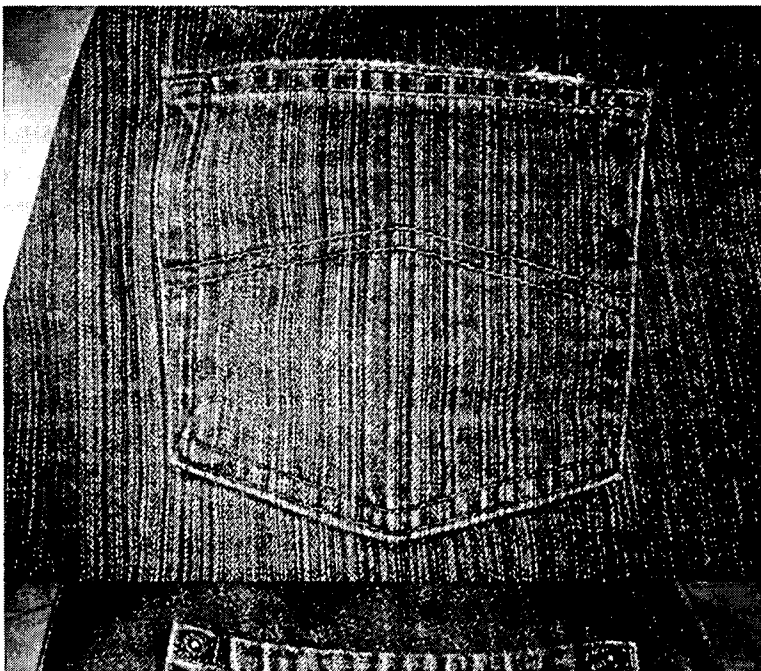
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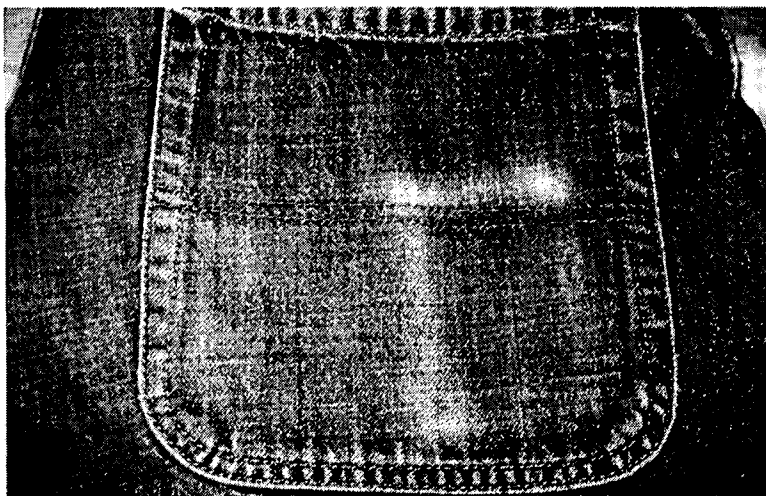
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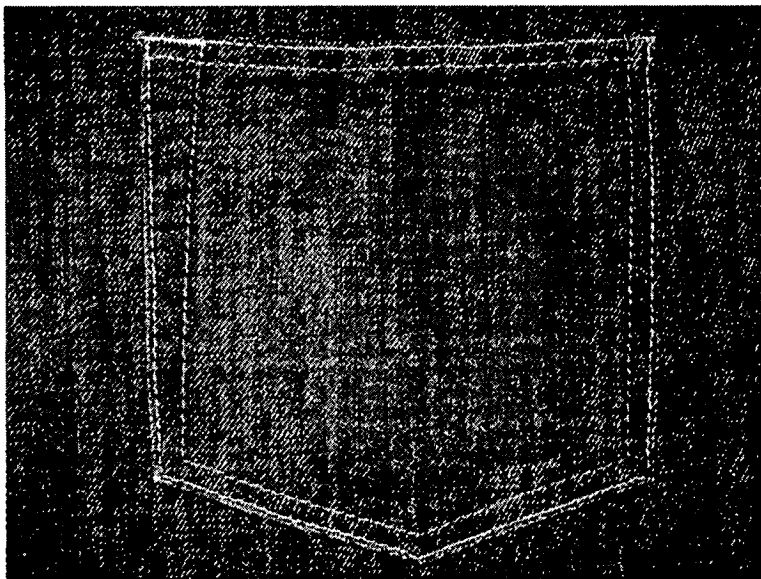
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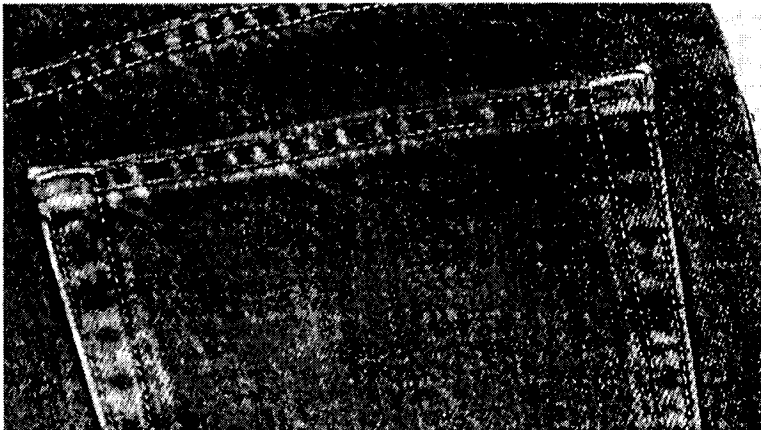
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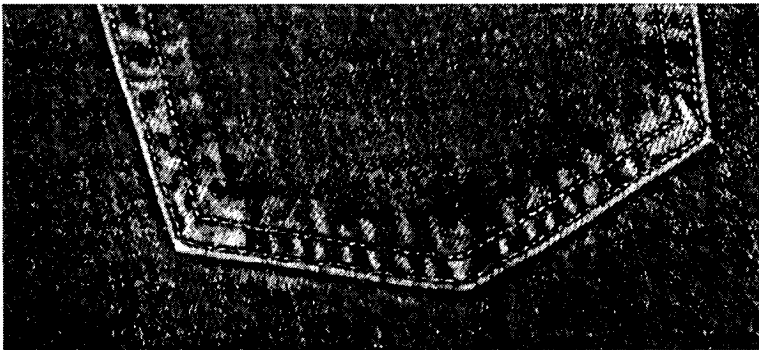
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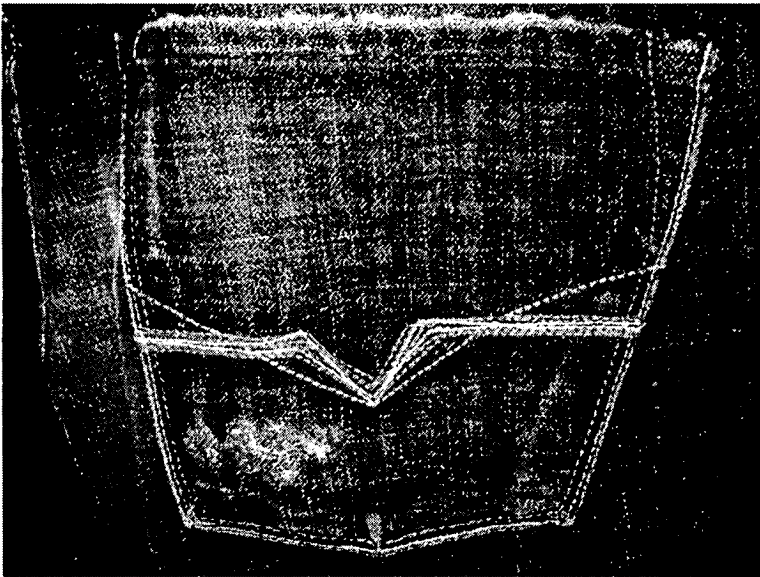
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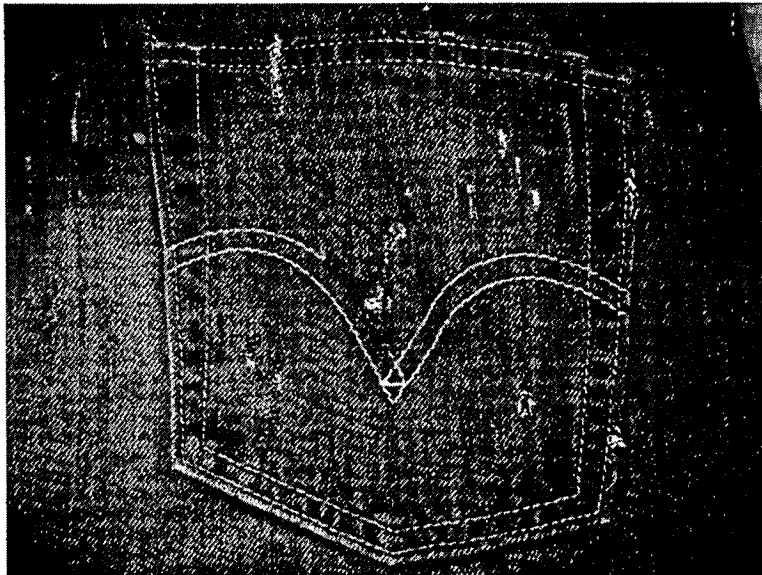
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## Levi's

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These are custom-distressed jeans, not off-the-rack Levi's.

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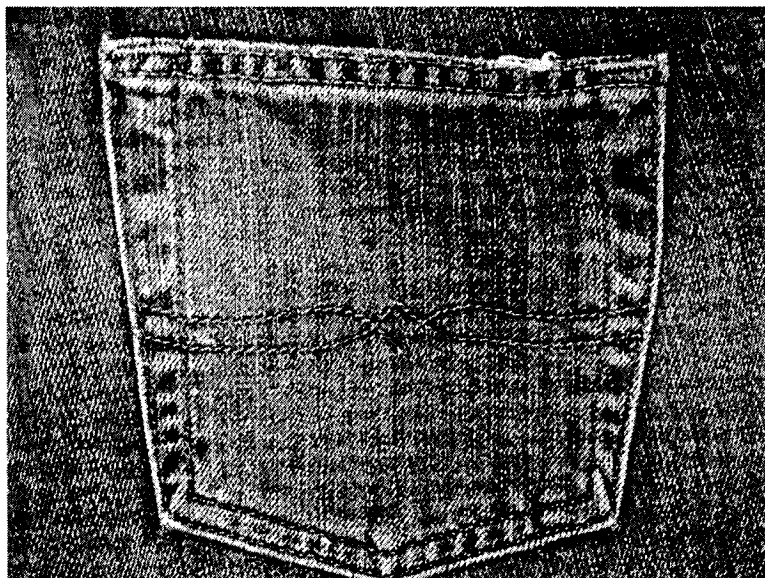
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## Lucky Brand Jeans

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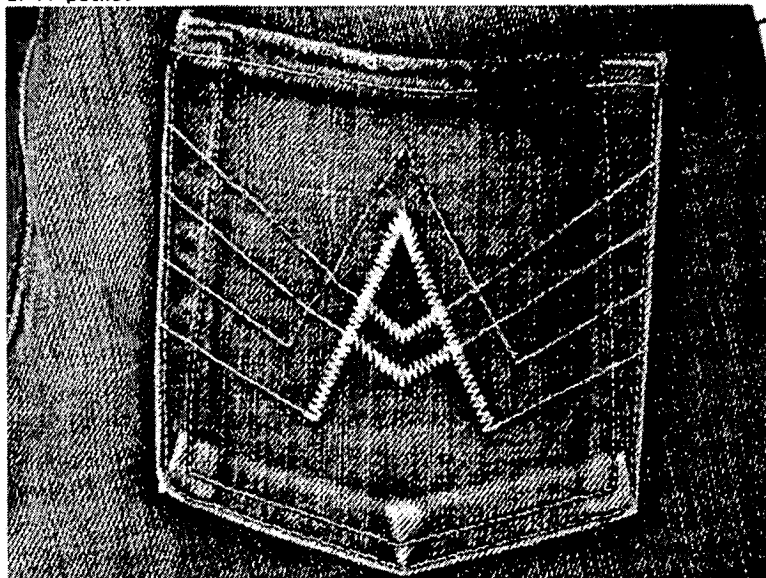
## Seven for All Mankind

[Official Web site](#)

Most people refer to this as Seven or 7 jeans.

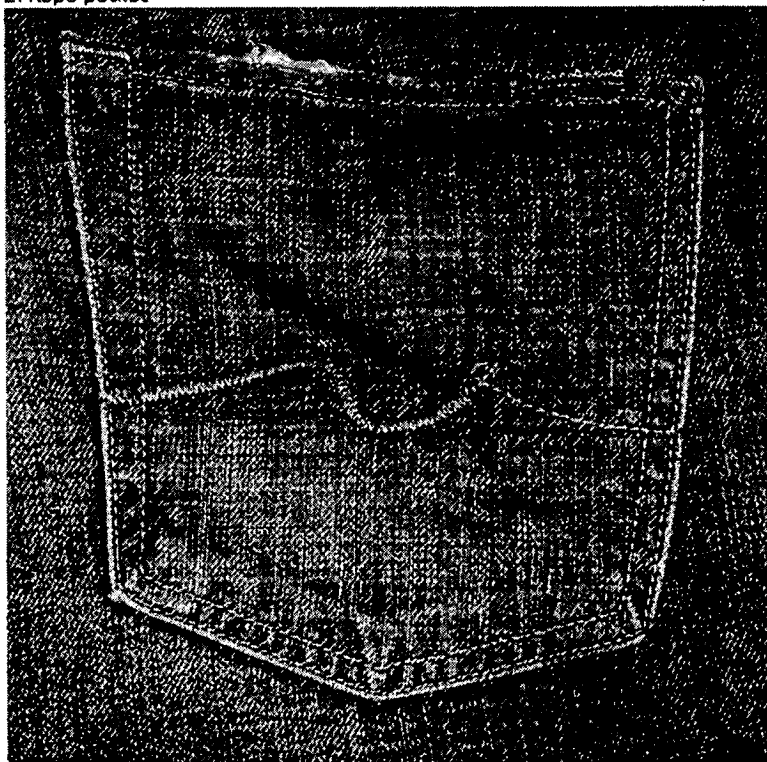
They have several pocket styles including:

1. "A" pocket



2. Rope pocket

## 2. Rope pocket



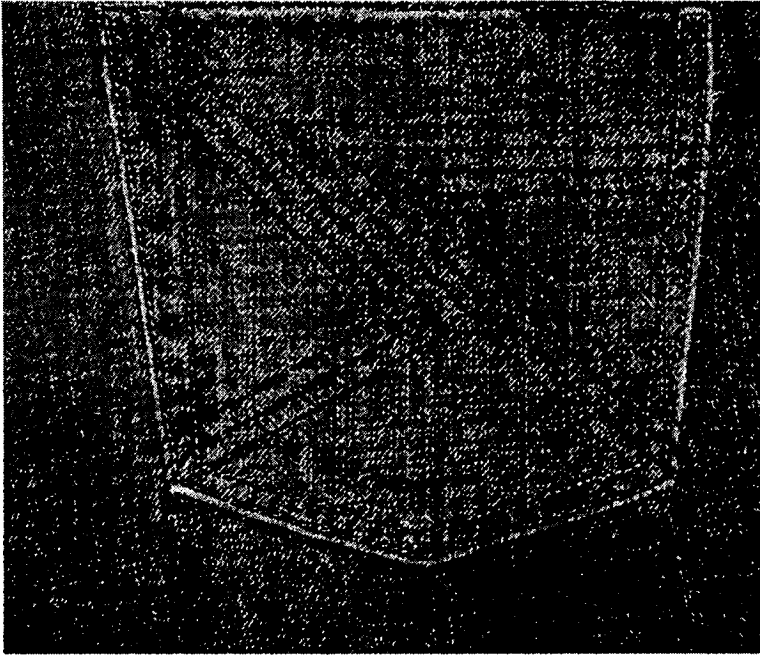
## 3. 3 Diamonds pocket

TODO-insert a picture here

Issue-Is there a more standard name for this?

## 4. 'Flynt' Seven pocket





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### Levi's Turns to Suing Its Rivals



Jim Wilson/The New York Times

Levi's designers worked on jeans at the company's headquarters. [More Photos »](#)

By MICHAEL BARBARO and JULIE CRESWELL  
Published: January 29, 2007

United States Patent and Trademark No. 1,139,254 is not much to look at: a pentagon surrounding a childlike drawing of a seagull in flight.

#### Multimedia



Slide Show

By the Seat of Their Pants

But the design for a Levi's pocket, first used 133 years ago, has become the biggest legal battleground in American fashion.

Levi Strauss claims that legions of competitors have stolen its signature denim stitches — two intersecting arcs and a cloth label — for their own pockets, slapping them on the seats of high-priced, hip-hugging

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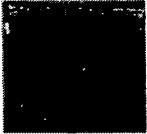
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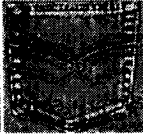
Five of the companies Levi Strauss has sued in the last decade.

**Levi Strauss**  
First trademarked  
in 1943

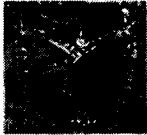
**Jeansy**  
Sued in 2005



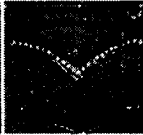
**Von Dutch**  
2006



**Karen Kane**  
1996 and 2006



**Jones Apparel**  
2003 and 2006



**Fossil**  
2005



Sources: Thomson West; court documents  
The New York Times

[More Photos »](#)

slapping them on the seats of high-priced, hip-nugging jeans that have soared in popularity.

So Levi's is becoming a leader in a new arena: lawsuits. The company, once the undisputed king of denim and now a case study in missed opportunities, has emerged as the most litigious in the apparel industry when it comes to trademark infringement lawsuits, firing off nearly 100 against its competitors since 2001. That's far more than General Motors, Walt Disney or Nike, according to an analysis by research firm Thomson West.

The legal scuffles offer a rare glimpse into the sharp-elbowed world of fashion, where the line between inspiration and imitation is razor thin. After all, clothing makers' trade secrets are hung on store racks for all to see, and designs can be quickly copied with small changes to exploit a hot trend.

The lawsuits, which Levi's says it is compelled to file to safeguard the defining features on its jeans, are not about the money — one settled for just \$5,000 in damages.

Instead, the company says, they are about removing copycats from stores. Nearly all the cases have settled out

of court, with Levi's smaller rivals agreeing to stop making the offending pants and to destroy unsold pairs.

But those competitors say the lawsuits are the last resort of a poor loser, a company that has lost billions in sales, laid off thousands of workers and flirted with bankruptcy as the denim industry exploded.

"They missed the boat," said Tonny Sorensen, chief executive of Von Dutch Originals, a six-year-old denim and clothing manufacturer sued by Levi's six months ago for allegedly borrowing the company's double arcs for a back-pocket design. "Now they want to make a lot of noise and scare people away."

Mr. Sorensen said his pocket design "did not look like Levi's at all" because of subtle differences like placing the arcs "one inch to the left" and stitching a line to resemble "a pirate's hook."

Nevertheless, Von Dutch agreed to remove the jeans from dozens of boutiques and destroy

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Nevertheless, Von Dutch agreed to remove the jeans from dozens of boutiques and destroy hundreds of unsold pairs. "It was one style and it was not that successful anyway, so we made the decision not to fight it," Mr. Sorensen said.

In the majority of cases, Levi's accuses competitors of copying its design of two arcs that meet in the center of the pocket or its famous Levi's tab, a folded piece of cloth sewn into the vertical seam of the garment.

Robert Hanson, Levi's president for North America, said the company manufactured "a product that a lot of people are copying and copying with a lot of success."

Instead of relying on Levi's designs for what he called a "running start," competitors should "look for other devices that don't come remotely close to the Levi's trademarks," Mr. Hanson said. "Be more innovative."

But the privately held Levi's, whose founder sewed together the first pair of jeans in 1873, has been unable to exploit the latest \$200-a-pair denim craze — and now claims scores of smaller competitors are riding high because of what it created. When consumers' tastes shifted toward designer jeans that were bejeweled, torn and frayed, Levi's was still selling basic \$30 pairs at K-Mart.

In this dispute, back-pocket stitching has become the fashion equivalent of ink blots, with plaintiffs and defendants seeing in the new designs what they want, or need, to see. So far, Levi's view is prevailing.

The company's team of denim detectives — there are 40 across the world, scouring boutiques and department stores — has spotted what they considered offending stitches on jeans from the biggest names in the clothing business: Guess, Zegna, Esprit, Lucky Brand and Zumiez, to name a few.

Even companies that have painstakingly worked to avoid infringing on Levi's trademarks have found themselves in the company's crosshairs. At Rock & Republic, one of the country's fastest-growing jeans makers, designers intentionally placed a cloth label on the right hand side of a back pocket, not the left, which would violate a Levi's trademark.

Levi's sued anyway, arguing its trademarks forbid placing such a label on a vertical seam of a back-pocket. During a tense, five-hour settlement discussion in San Francisco several weeks ago, the chief executive of Rock and Republic, Michael Ball, upbraided Levi's lawyers for their aggressive tactics.



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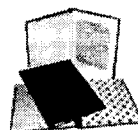
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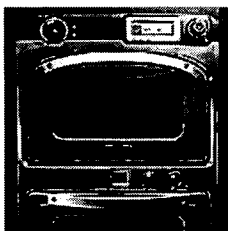


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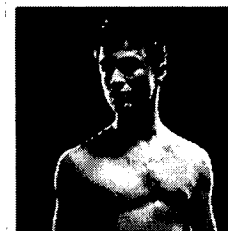
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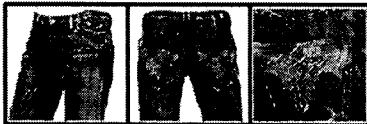
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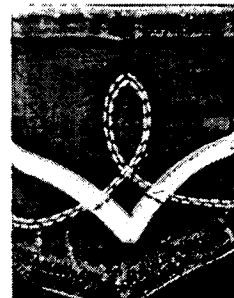
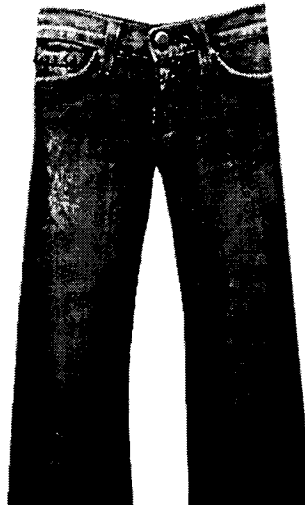
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**Print: Mar 7, 2007**

**73321116**

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No

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19890

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1086041

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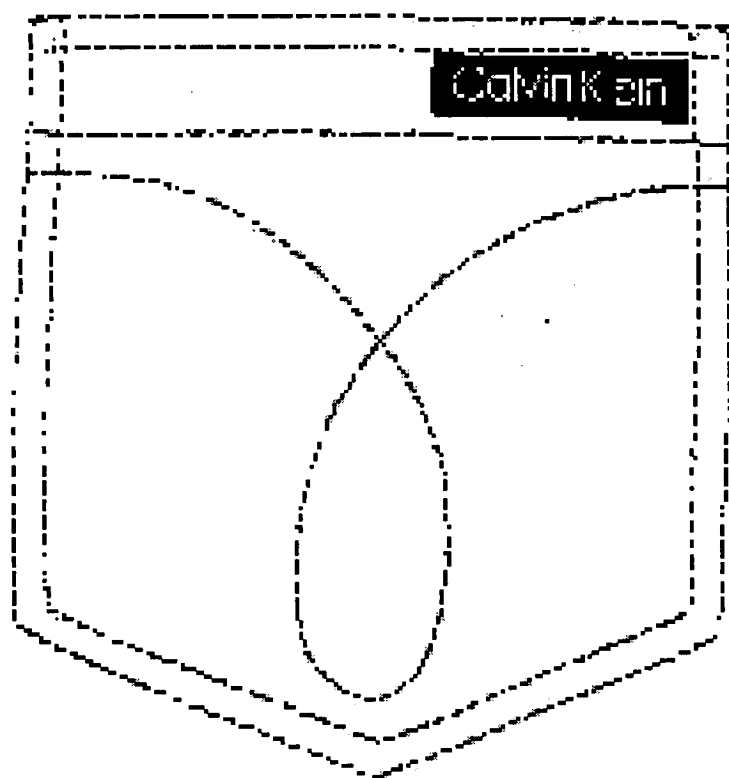
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1991/12/23

**Examining Attorney**

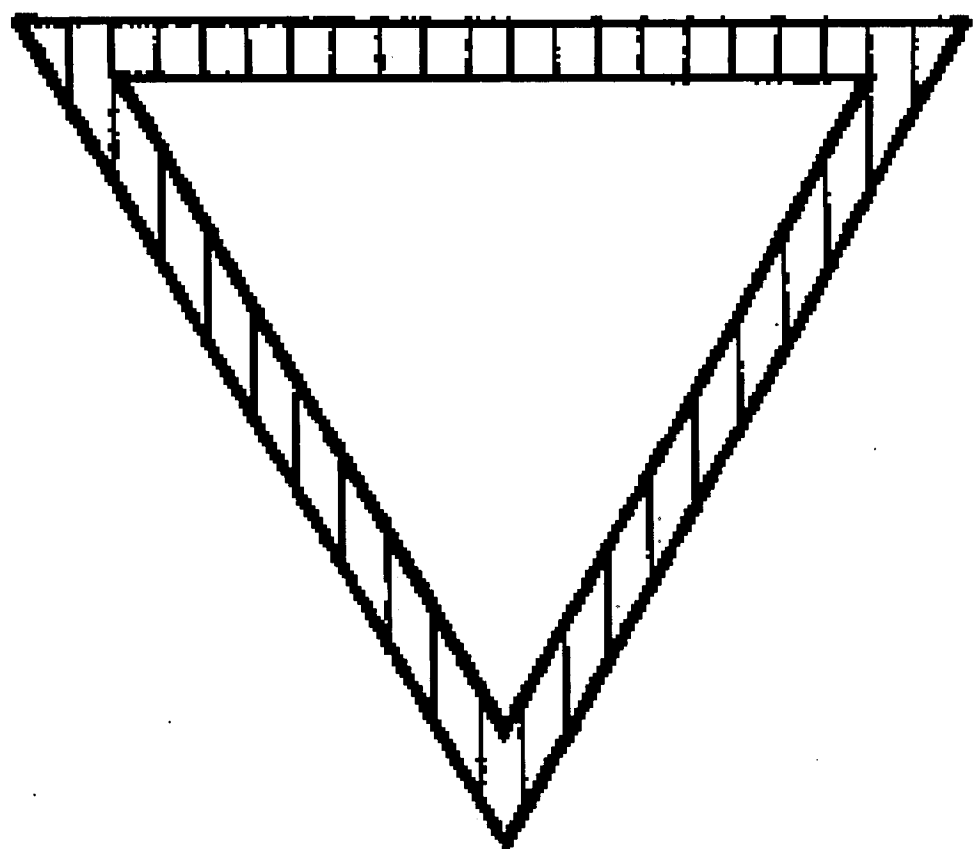
STOIDES, KATHERINE

**Attorney of Record**

**Print: Mar 7, 2007**

**73770338**

MICHAEL J. MACDERMOTT



**Print: Mar 7, 2007**

**75124717**

**Issue: Apr 3, 2007**

**DESIGN MARK**

**Serial Number**

75124717

**Status**

REGISTERED AND RENEWED

**Registration Number**

2098458

**Date Registered**

1997/09/16

**Type of Mark**

TRADEMARK

**Register**

SUPPLEMENTAL

**Mark Drawing Code**

(2) DESIGN ONLY

**Owner**

GAP (APPAREL), LLC LTD LIAB CO CALIFORNIA 2 FOLSOM STREET SAN FRANCISCO CALIFORNIA 94105

**Name Change**

BY ASSIGNMENT

**Original Owner**

GPS (DELAWARE), INC. CORPORATION SAN FRANCISCO CALIFORNIA 94105

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: clothing, namely, jeans. First Use: 1996/07/24. First Use In Commerce: 1996/07/24.

**Description of Mark**

The mark consists of a stitching design on the back pockets of the goods.

**Filing Date**

1996/06/24

**Amended Register Date**

1997/07/02

**Examining Attorney**

MICHELI, ANGELA M.



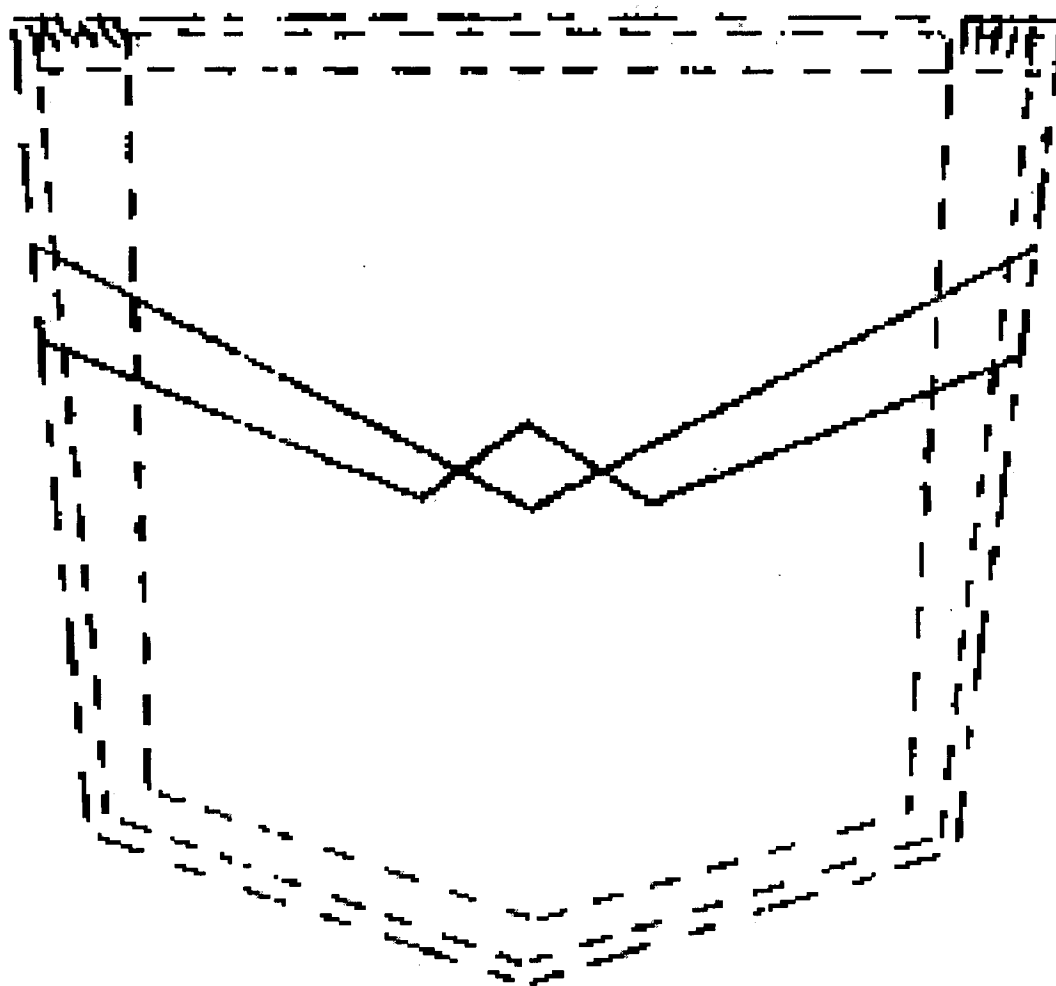
**Print: Mar 7, 2007**

**75124717**

**Issue: Apr 3, 2007**

**Attorney of Record**

JULIE HENDERSON KANBERG



**Print: Mar 7, 2007**

**76354256**

**DESIGN MARK**

**Serial Number**

76354256

**Status**

REGISTERED

**Registration Number**

2835542

**Date Registered**

2004/04/20

**Type of Mark**

TRADEMARK

**Register**

SUPPLEMENTAL

**Mark Drawing Code**

(2) DESIGN ONLY

**Owner**

GIORGIO ARMANI S.P.A. CORPORATION ITALY Via Borgonuovo, 11 I-20121  
Milano ITALY

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: CLOTHING,  
NAMELY, JEANS. First Use: 2002/01/31. First Use In Commerce:  
2002/01/31.

**Description of Mark**

The mark consists of selvage edge with stitching along the trouser  
seam turned outwardly and exposed on the pant from the wasteband to  
the bottom of the trouser leg. The dotted outline of the jeans is not  
part of the mark but is merely intended to show the position of the  
mark.

**Filing Date**

2002/01/02

**Amended Register Date**

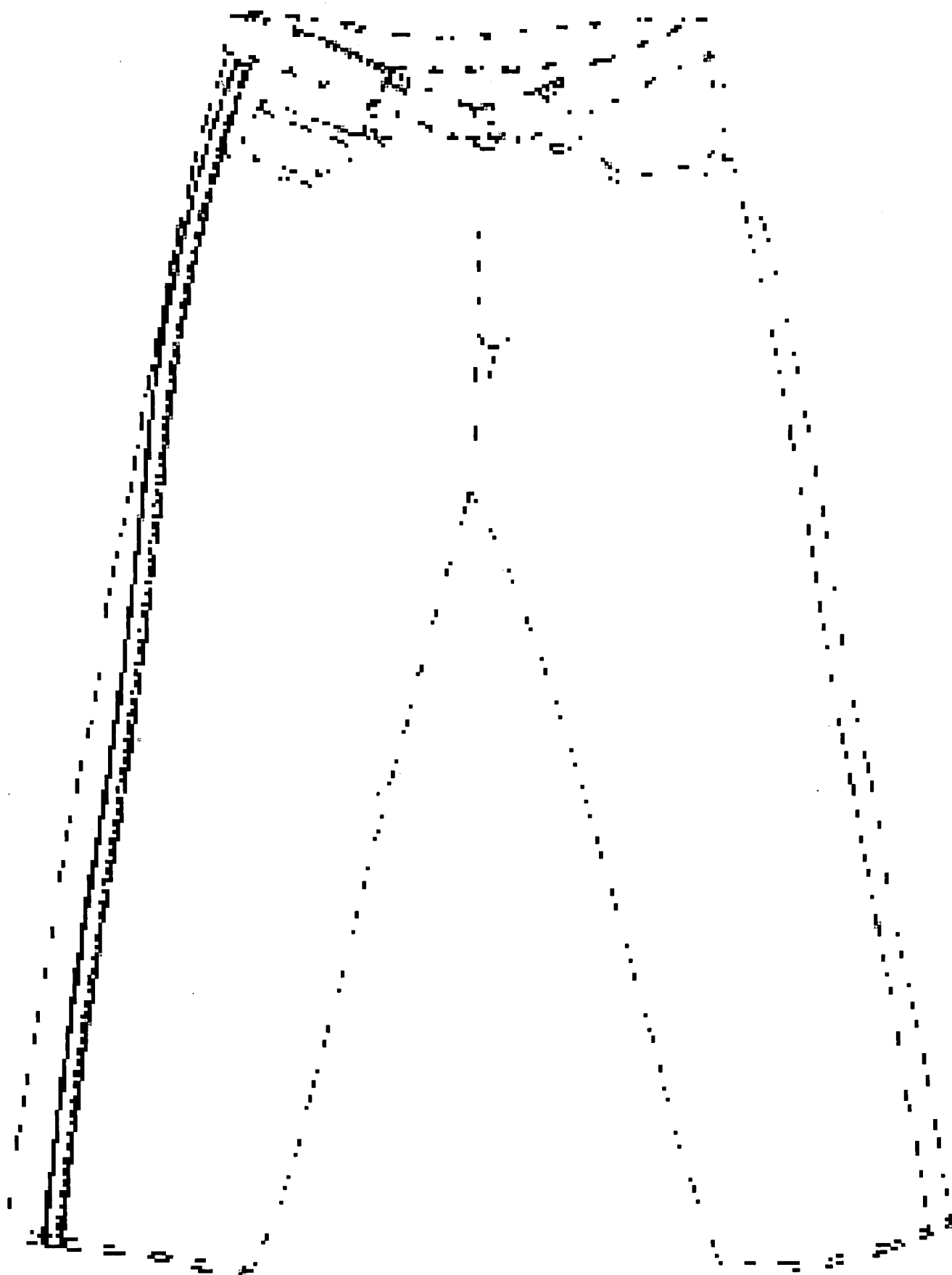
2003/12/29

**Examining Attorney**

SAITO, KIM

**Attorney of Record**

Herbert Dubno



**Print: Mar 7, 2007**

**76354257**

**DESIGN MARK**

**Serial Number**

76354257

**Status**

REGISTERED

**Registration Number**

2857029

**Date Registered**

2004/06/22

**Type of Mark**

TRADEMARK

**Register**

SUPPLEMENTAL

**Mark Drawing Code**

(2) DESIGN ONLY

**Owner**

GIORGIO ARMANI S.P.A. CORPORATION ITALY Via Borgonuovo, 11 I-20121  
Milano ITALY

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: CLOTHING  
NAMELY, JEANS. First Use: 2002/01/31. First Use In Commerce:  
2002/01/31.

**Description of Mark**

The mark consists of selvedge edge with stitching along the trouser  
seam turned outwardly and exposed on the pant from the wasteband to  
the bottom of the trouser leg. The dotted outline of the jeans is not  
part of the mark but is merely intended to show the position of the  
mark.

**Filing Date**

2002/01/02

**Amended Register Date**

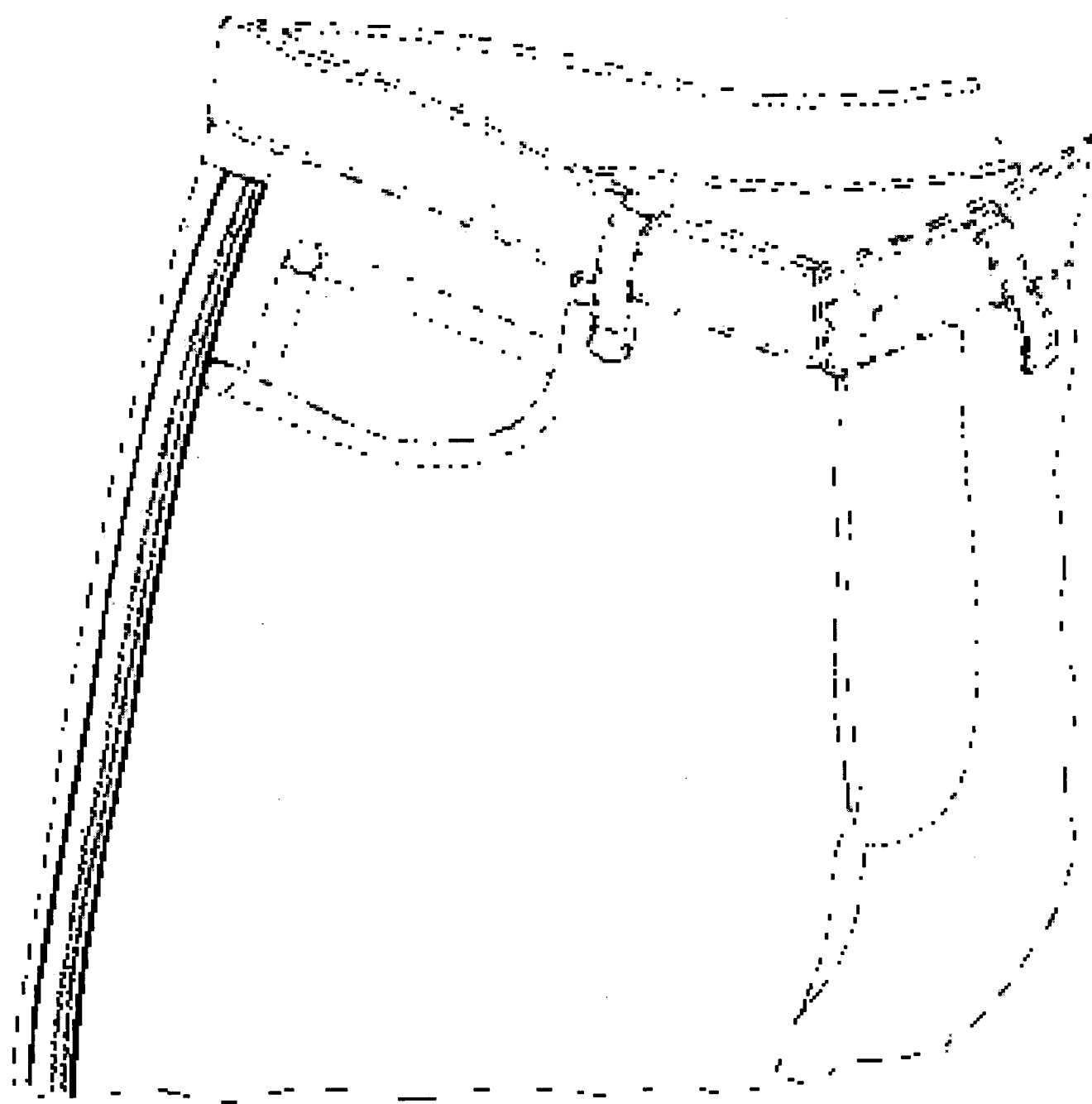
2003/12/24

**Examining Attorney**

SAITO, KIM

**Attorney of Record**

Herbert Dubno



**Print: Mar 7, 2007**

**76636332**

**DESIGN MARK**

**Serial Number**

76636332

**Status**

REGISTERED

**Registration Number**

3161010

**Date Registered**

2006/10/17

**Type of Mark**

TRADEMARK

**Register**

SUPPLEMENTAL

**Mark Drawing Code**

(2) DESIGN ONLY

**Owner**

Guess ?, Inc. CORPORATION DELAWARE 1444 South Alameda Street Los Angeles CALIFORNIA 90021

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: JEANS, PANTS, SHORTS, SKIRTS, JUMPERS AND OVERALLS. First Use: 2001/11/00. First Use In Commerce: 2001/11/00.

**Description of Mark**

The mark consists of mirror image stitching designs on a pair of pockets on the garment. The dotted lines in the drawing are not a feature of the mark and merely show the position thereof.

**Filing Date**

2005/04/18

**Amended Register Date**

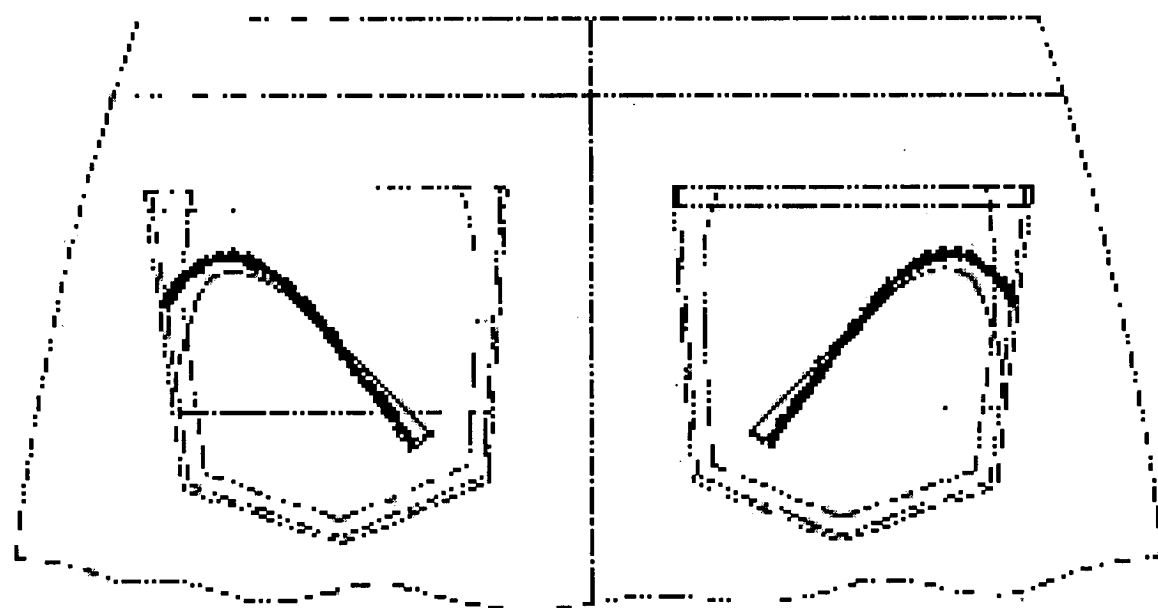
2006/08/23

**Examining Attorney**

LAMOTHE, LESLEY

**Attorney of Record**

Michael J. MacDermott





**Print: Mar 7, 2007**

**78716362**

**DESIGN MARK**

**Serial Number**

78716362

**Status**

REGISTERED

**Registration Number**

3135750

**Date Registered**

2006/08/29

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(2) DESIGN ONLY

**Owner**

Abercrombie & Fitch Trading Co. CORPORATION OHIO 6301 Fitch Path New Albany OHIO 43054

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: jeans; skirts, shorts; pants; jackets. First Use: 2001/02/01. First Use In Commerce: 2001/02/01.

**Prior Registration(s)**

2626917

**Description of Mark**

The mark consists of a pair of double-lined stitches, extending continuously across the pocket of the goods. The stitches are curved, intersecting twice, forming an eye shape in the center of the pocket. The broken lines outlining the pockets are used to indicate the positioning of the mark on the goods and are not a feature of the mark.

**Section 2f Statement**

2(F) ENTIRE MARK

**Filing Date**

2005/09/20

**Examining Attorney**

SANTOMARTINO, MARTHA

**Print: Mar 7, 2007**

**78716362**

**Attorney of Record**  
Katherine M. Basile

